

REMARKS

Claims 1-26 are pending. Claims 1-26 are rejected and the drawings are objected to. Claim 1 is objected to. In the March 2, 2010 Non-Final Office Action, the Examiner:

1. Objected to claim 1;
2. Rejected claims 1-26 under 35 U.S.C. §103(a) as being unpatentable over *Knobi et al.* (U.S. Patent Pub. No. 2001/0025376), in view of *Jutzi et al.* (U.S. Patent Pub. No. 2006/0095939); and
3. Objected to the drawings.

Claims 1-26 stand rejected. Claim 1 has been amended pursuant to the Examiner's objection. No new matter is being added. As to the Examiner's rejections, Applicants traverse. Reconsideration of the pending claims is respectfully requested.

I. CLAIM OBJECTIONS

The Examiner objected to claim 1 because Claim 1 recites "a controller" on line 20; and because Claim 1 recites "the control unit" on line 21. Applicants have amended claim 1 so that claim 1 recites "the controller" on line 20 and "the controller" on line 21 instead of "control unit." The Examiner's objections to claim 1 are now moot.

II. REJECTIONS UNDER 35 U.S.C. § 103

The Examiner rejected claims 1-26 under 35 U.S.C. §103(a) as being unpatentable over *Knobi et al.* (U.S. Patent Pub. No. 2001/0025376), in view of *Jutzi et al.* (U.S. Patent Pub. No. 2006/0095939). The Examiner argued with respect to claim 1 that:

Knobi et al. teaches a digital television system in a vehicle (Figure 1) comprising:

... a television reception unit [6, 14, 15] that processes a digital transmission signal having audio, video and miscellaneous data, the television reception unit further comprising:

a television receiver module [6] configured to receive the digital signal (Figure 1, Paragraphs 0039, 0041);

a matching stage configured to match the audio signal with the video signal (*i.e.* presenting a/v signals to user) (paragraph 0039, 0041, 0045); ...

an evaluation unit in communication with *the demultiplexer* and configured to receive miscellaneous data from *the demultiplexer*, (*i.e.* receiving information with respect to A/V presentation)(Paragraphs 0039, 0041, 0044); ...

However, the reference is unclear with respect to a demultiplexer, a demultiplexer configured to separate the audio, video and miscellaneous data; a multiplexer configured to combine the audio and video signal into one data stream for transmission to a network.

See March 2, 2010 Non-Final Office Action, pg. 4-5. Applicants respectfully submit that *Knobi* does not teach “an evaluation unit” In addition, *Knobi* is not merely unclear with respect to a demultiplexer and a multiplexer, *Knobi* clearly does not teach either “a demultiplexer configured to separate the audio, video and miscellaneous data,” or a “multiplexer configured to combine the audio and video signal into one data stream for transmission to a network.”

Knobi teaches an A/V system that allows a user to easily select media from a variety of A/V appliances such as, a TV receiver, a DVD player, a cassette player, a Digital Audio Broadcasting receiver, an AM/FM radio, and a CD player. *Knobi* states that the TV receiver may receive television programs over the Internet together with information about program contents. *Knobi* does not teach receiving a digital transmission signal containing audio, video and miscellaneous data.

Knobi does not disclose an “evaluation unit” The Examiner erroneously equates “an evaluation unit ...” with “receiving information with respect to A/V presentation.” There is no analysis provided in the Non-Final Office action justifying equating “an evaluation unit ...” with “receiving information with respect to A/V presentation.” The complete wording of the claim limitation must be read, which states that the “evaluation unit” is “in communication with *the demultiplexer* and configured to receive miscellaneous data from *the demultiplexer*.” (emphasis in original). The “miscellaneous data” is data that has been separated from the digital transmission signal. None of the paragraphs cited in the Non-Final Office Action describe separating the audio, video and data from any digital transmission signal. See *Knobi* at ¶¶[0039], [0041], [0044]. *Knobi* does not teach separating the audio, video and data signals from a digital transmission signal. Therefore, *Knobi* does not teach “an evaluation unit ...” as recited in claim 1.

The rejection issued by the Examiner fails to address any teachings of audio, video and data signals separated from the digital transmission signal is reflected in the Examiner's statements regarding "a matching stage." Applicants have amended claim 1 by deleting the recitation of "a matching stage." Applicants submit that the matching stage is optional. *See* Specification ¶ [0023]. Applicants note however that the Examiner states, with no support or analysis, that the term "matching stage" means "presenting a/v signals to user." Again, the Examiner evades the wording of the limitation, which states that the "matching stage" processes separated audio and video signals.

The Examiner asserted *Jutzi* to compensate for the lack of clarity in *Knobi* regarding a demultiplexer and a multiplexer. As noted above, there exist a lack of any disclosure of "a demultiplexer configured to separate the audio, video and miscellaneous data," or a "multiplexer configured to combine the audio and video signal into one data stream for transmission to a network." Also, as noted above, *Knobi* fails to teach or suggest an evaluation unit as recited in independent claims 1 and 14, and as recited as steps in independent claims 22 and 25. As such, the Examiner has failed to make a prima facie case of obviousness. Nevertheless, *Jutzi* does not compensate for any of the deficiencies in *Knobi*.

In asserting *Jutzi*, the Examiner argued that:

In similar field of endeavor, Jutzi et al teaches a demultiplexer [206], a demultiplexer [206] configured to separate the audio, video and miscellaneous data (Figures 1 and 2); a multiplexer [210] configured to combine the audio and video signal into one data stream for transmission to a network (Figure 2; paragraph 0027). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the reference for the common knowledge purpose of providing user an appliance-independent user interface on the basis of which the user can select the presentation independently of the appliances.

Jutzi teaches a broadcast network operating center that uses a data separation device to separate the audio, video, and programming data signals from a received digital broadcast signal. The audio and video data are converted to analog signals and broadcast over an analog transport media. *See Jutzi* at [0020]-[0023]. The programming data is transported over a computer network such as the Internet. *Jutzi* at [0020]-[0023]. The disclosure of the demultiplexer and multiplexer in *Jutzi* is not sufficient to combine with *Knobi* as the

Examiner argues in rejecting independent claims 1, 14, 22 and 25 as obvious. It is noted that *Jutzi* does not teach communicating the separated programming data to an evaluation unit, or to any component that is at all equivalent to an evaluation unit. As noted above, *Knobi* also does not teach an evaluation unit. Applicants respectfully submit that the combination of *Knobi* and *Jutzi* fail to teach or suggest each and every element of independent claims 1, 14, 22 and 25.

As set forth above, claims 1-26 are in condition for allowance.

III. DRAWING OBJECTIONS

The Examiner objected to the drawings because the reference numerals in Figures 1 and 2 were incorrect, and because Figure 3 was not included in the filing. Applicants have attached replacement sheets for Figures 1 and 2, and a new drawing including Figure 3. No new matter has been added. The reference numerals have been corrected in Figures 1 and 2. The subject matter in Figure 3 is described in the specification at paragraphs [0024] to [0029].

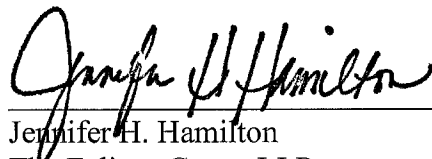
CONCLUSION

Favorable consideration is respectfully requested in view of the following amendments and remarks.

The Commissioner is authorized to charge any additional fees that may be required, or credit any overpayment, to our Deposit Account No. 50-2542. A copy of this sheet is enclosed.

Respectfully submitted,

Dated: 7/2/10



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